

The Honorable John H. Chun

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID MCKEAN

Defendant.

NO. CR23-154 JHC

STIPULATED
PROTECTIVE ORDER

This matter, having come to the Court's attention on the Stipulated Motion for Protective Order, and the Court, having considered the entirety of the record and being fully advised in this matter, hereby enters the following PROTECTIVE ORDER:

1. Permissible Disclosure of Protected Material.

The material that is described in the Stipulated Motion is deemed "Protected Material." The United States will make available copies of the Protected Material to defense counsel to comply with the government's discovery obligations. Possession of the Protected Material is limited to defense counsel, as well as his investigators, paralegals, assistants, law clerks, and experts (hereinafter collectively referred to as "members of the defense team").

Members of the defense team may display and review the Protected Material with the Defendant, but members of the defense team may not provide copies of the Protected

1 Material to other persons, including the defendant himself. In addition, members of the
2 defense team may not bring duplicates of the Protected Material into the Federal
3 Detention Center at SeaTac or leave Protected Material or duplicates of Protected
4 Material at the Federal Detention Center at SeaTac. Defense counsel is also required to
5 provide a copy of this Protective Order to members of the defense team and obtain
6 written consent from members of the defense team of their acknowledgment to be bound
7 by the terms and conditions of this Protective Order, prior to providing any Protected
8 Material to the members of the defense team. The written consent need not be disclosed
9 or produced to the United States unless requested by the Assistant United States Attorney
10 and ordered by the Court.

11 This order does not limit employees of the United States Attorney's Office for the
12 Western District of Washington from disclosing the Protected Material to members of the
13 United States Attorney's Office, federal law enforcement agencies, and to the Court and
14 defense as necessary to comply with the government's discovery obligations.

15 2. Filing

16 Any Protected Material that is filed with the Court in connection with pretrial
17 motions, trial, or other matters before this Court, shall be filed under seal and shall
18 remain sealed until otherwise ordered by this Court.

19 3. Nontermination

20 The provisions of this Order shall not terminate at the conclusion of this
21 prosecution. Furthermore, at the close of this case, defense counsel shall return the
22 Protected Material, including all copies of the Protected Material, to the office of the
23 United States Attorney, or otherwise certify that the material has been destroyed.

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4. Violation of Any Terms of this Order

Any person who willfully violates this order may be held in contempt of court and may be subject to monetary or other sanctions as deemed appropriate by this Court.

DATED this 26th day of October, 2023.

John H. Chun
JOHN H. CHUN
UNITED STATES DISTRICT JUDGE

Presented By:

s/ Dane A. Westermeyer
DANE A. WESTERMEYER
Assistant United States Attorney

s/ Barry Flegenheimer
BARRY FLEGENHEIMER
Attorney for David McKean